

than one in five Americans is employed by a company that has at least one Federal contract. Unfortunately, every year tens of thousands of workers are denied overtime wages, not paid fairly because of their gender or age, or have health and safety put at risk by corner-cutting contractors. Those contractors who obey the rules are put at a disadvantage by those who cut corners, and that is what this proposal that President Obama put into effect was supposed to curb. That was the rule.

What do we find President Trump and our Republican colleagues doing? Once again, favoring the special interests, Big Business, over the working people. As my colleague from Massachusetts, Senator WARREN, just said: "This is a debate about whom Congress actually works for." The President tries to present himself as a populist favoring working people. That is in his speeches, but in all of his actions, just about every single one, when there is a special interest, a business interest at stake versus a worker interest, he sides with the special Big Business interests.

The President promised to be a champion for working people in his inaugural address. An hour later, he signed an Executive order making it harder for working people to get a mortgage. Last week, the President made a whole host of claims about what his government would do only 24 hours after releasing a budget blueprint that would take a meat ax to the Federal agencies he was talking about. He had this beautifully sympathetic moment about medical research, and his budget is going to slash it. He talked about education as a major issue in America. His budget will slash that.

Again, less than a week after another populist speech to Congress, the President is doing exactly the opposite of what he said he was going to do—stick up for working men and women—by signing this resolution. President Trump promised: I will deliver better wages for the working class. Well, President Trump, more than 300,000 workers have been victims of wage-related labor violations while working under Federal contracts during the last decade. Are you now going to sign a bill, President Trump, that would make it easier for recidivist Federal contractors to skirt wage standards and hurt their workers? It sounds like it to me. This administration's hypocrisy knows no end. It is not populist. It is not for the working people, not in what they do.

In his joint address to Congress, the President said, he would "ensure new parents have paid family leave." Now is he going to sign a bill that makes it easier for companies that violate family leave laws to win contracts from the Federal Government? If the President was true to his populist rhetoric, he would say this resolution is dead on arrival because it hurts the working people. But if past is prologue, he will not. He will think that his tough talk

about standing up for the working class is enough to cloak a hard-right, pro-corporate, pro-elite agenda.

So I challenge the President: If Republicans pass this resolution, show some courage and veto it because you are not going to get away with constantly, constantly saying that you are in favor of working people and signing legislation that hurts them.

I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). All time is expired.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The yeas and nays have been previously ordered.

The clerk will call the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from Georgia, (Mr. ISAKSON), and the Senator from Alaska (Mr. SULLIVAN).

THE PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote:

The result was announced—yeas 49, nays 48, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—49

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Johnson	Shelby
Corker	Kennedy	Strange
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	McCain	Toomey
Cruz	McConnell	Wicker
Daines	Moran	Young
Enzi	Murkowski	
Ernst	Paul	

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—3

Flake	Isakson	Sullivan
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The joint resolution (H.J. Res. 37) was passed.

The PRESIDING OFFICER. The majority leader.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 44.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 44) disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976.

The PRESIDING OFFICER. The Senator from Illinois.

TRAVEL BAN

Mr. DURBIN. Mr. President, earlier today, President Trump signed a new Executive order that bans travel to the United States from a new list of Muslim-majority countries and bans all refugees. This new Executive order includes some cosmetic changes, but these changes do not alter the fact that President Trump's travel ban is still unconstitutional and still inconsistent with the values of this Nation.

This Executive order plays directly into ISIS's argument that the United States is waging a war against a religion. The President's first travel ban was blocked by multiple Federal courts, and his latest, I hope, will face the same fate.

Let's consider how we have arrived at this point. During his first full week in office, President Trump signed his first Executive order that banned Muslims and refugees. This order resulted in chaos in airports across the country. Dozens of legal immigrants were detained, not because they did anything wrong or because they were any danger to our Nation. It was solely because of where they came from. There was an Iraqi immigrant who put himself and his family in harm's way by working with American troops as an interpreter, two disabled seniors—a husband and wife—and a 5-year-old child. These were people who were the victims of President Trump's first Executive order.

The order faced widespread resistance from the American people, the courts, and even from the administration itself. Acting Attorney General Sally Yates said the Justice Department could not in good conscience defend the President's Executive order. So the President fired her.

Now comes this new Executive order. We know that, over time, Ms. Yates was right. She stood for principle, and when multiple Federal courts blocked that Executive order, we understood that she appreciated the law, unlike those who crafted this terrible order.

Rather than repeal the Executive order or defend it in court, the Trump administration is trying to evade these

legal challenges by issuing a new version but with some tweaks. The original Executive order banned travelers to the United States from seven Muslim-majority countries. The President heard the plea about this ban on Muslim travelers. He issued a new order today which does not ban travelers from seven Muslim-majority countries but from only six. This is still, nevertheless, an attack on religious freedom that risks alienating hundreds of millions of Muslims across the world.

Our focus should be on people with suspected links to terrorism. The President will have no resistance from this Congress—from either side of the aisle—if he goes after actual suspects of terrorism, but this should be done regardless of the suspect's religion.

This order—the new one—still blocks refugees from coming to the United States for at least 120 days, and it cuts by more than 50 percent the number of refugees who will be settled in the United States this year. Turning away innocent people who are fleeing persecution, genocide, and terror is not the American way. It will not keep us safer. Sadly, it projects an image of America to the world that is totally inconsistent with where we have been as a Nation.

No matter what spin the White House puts on it, the President's new Executive order is still fatally flawed. Multiple statements from the President himself and from several of his advisers have made clear that his intention is to bar Muslims from entering the United States and to give priority to Christian refugees. This violates the Constitution's establishment clause and the equal protection clause. Tweaking the language of the ban cannot remedy the President's original unlawful intent.

During the Presidential campaign, the President issued the following statement:

Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on.

When the President signed his original Executive order, his advisers made clear that it was intending to carry out this campaign promise. Listen to what former mayor of New York City—and one of the closest advisers to Donald Trump—Rudy Giuliani said:

I'll tell you the whole history of it: When President Trump first announced it, he said "Muslim ban." He called me up. He said, "Put a commission together. Show me the right way to do it legally."

Rudy Giuliani.

Now White House Adviser Stephen Miller has made it clear that his intention is to ban Muslims, and he says:

These are mostly minor, technical differences. Fundamentally, you are still going to have the same, basic policy outcome for the country.

Stephen Miller.

We are in the midst of the largest refugee crisis in the history of the world.

More than 65 million people have been forcibly displaced from their homes. The brutal Syrian conflict—the epicenter of this crisis—has killed hundreds of thousands, injured more than a million, and displaced more than half of Syria's population. In some areas, children in this country—in the 21st century—are starving to death.

The conflict has forced more than 4.7 million refugees to flee Syria. Around 70 percent of all Syrian refugees are women and children. Half of the Syrian refugee children are not in school. Millions in and outside of Syria are in urgent need of humanitarian assistance.

We cannot forget the lessons of history. In 1939, the United States refused to let the SS St. Louis dock in our country, sending over 900 Jewish refugees back to Europe, where many died in concentration camps.

After that tragic moral failure in the United States—after we turned our back on Jewish refugees who were fleeing Hitler—the United States examined its conscience and came up with a new program. It came up with a new approach, and it was bipartisan. Since World War II, the American people have worked to set an example for the world by accepting refugees.

Listen to those who have been accepted and made a part of America—almost 400,000 Eastern Europeans after World War II, close to 400,000 Vietnamese refugees fleeing the Vietnam war, approximately 650,000 Cuban refugees after Castro came to power.

Let me note, parenthetically, that, of the four Hispanic U.S. Senators today, three can trace their roots to this Cuban migration to the United States, and their families were refugees. They sit on the floor of the Senate and represent some of our great States. Yet, with this President, he is asking them and all of us to ignore this history.

We have accepted more than 150,000 refugees from the former Yugoslavia. Over 100,000 Soviet Jews, who were escaping the persecution of their religion and looking for freedom, came to the United States. Many of these refugees were fleeing regimes that were hostile to our country. Some argued that spies and other hostile elements could be hidden among them.

Think about the hundreds of thousands who came from Communist-controlled Cuba into the United States. Were they subjected to extreme vetting? No. They were people who said: We have come here and are looking for freedom. We opened our doors, and they have made us a better country because of it. The United States was not frightened by the fearmongers when it came to these refugees joining us in the United States, and we shouldn't be today.

Let's be clear. Refugees who come into our country this day are the most carefully vetted and investigated of all of the travelers to the United States. Before refugees are admitted to the United States, they have to pass careful, rigorous security screenings. All of

that screening takes place before they even set foot in America, and Syrian refugees undergo a new layer of enhanced review before they are allowed to come to America.

President Trump's own Department of Homeland Security has determined that his travel ban will not make us safer. Listen to this memo from the Department of Homeland Security's Office of Intelligence and Analysis in President Trump's administration:

Country of citizenship is unlikely to be a reliable indicator of potential terrorist activity. Since the beginning of the Syrian conflict in March 2011, the foreign-born, primarily U.S.-based individuals who were inspired by a foreign terrorist organization to participate in terrorism-related activity were citizens of 26 different countries.

The Trump administration believes they have found—first seven—now six countries from where they will deny terrorists access to the United States, even those who have gone through the vetting to be considered refugees.

Listen to this. It is another memo from the same Department—the Department of Homeland Security's Office of Intelligence and Analysis—under President Trump:

Most foreign-born, U.S.-based violent extremists likely radicalized several years after their entry to the United States, limiting the ability of screening and vetting officials to prevent their entry because of national security concerns.

The point is that it is not likely a terrorist is going to stand in line for 2 years to become a refugee to the United States and go through all of the background checks and live in a refugee camp for that purpose. Those who ended up being involved in terrorist activities were converted after their having arrived in the United States, and they included in their ranks many who were born in the United States.

If we are serious—really serious—about protecting America, we should close the loopholes that make it too easy for foreign visitors and suspected terrorists to buy deadly weapons. Most people do not know, but we have not precluded—or stopped—those who are visiting the United States from buying weapons. Even if we have not checked them, there are no background checks when it comes to terrorism. We should focus on individuals who are engaged in suspicious behavior, not target entire Muslim countries or the entire refugee population.

It makes no sense. Even President Trump's Department of Homeland Security says as much, but this President is determined to go forward with his Muslim ban. He is determined to build walls at our borders. He is determined to instill fear in our hearts.

That is not how America works, and it is not how we will move forward. Let's not continue the cruelty and deception of blaming immigrants and refugees for our security and economic challenges. We should work together, in the spirit of post-World War II America, and set an example for the world in order to build a better America for all Americans, including new

Americans—no matter the color of their skin, where their parents were born, or how they pray.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

150TH ANNIVERSARY OF THE APPROPRIATIONS COMMITTEE

Mr. COCHRAN. Mr. President, I would like to bring attention to an important anniversary in the history of the U.S. Senate. Today marks the 150th anniversary of the creation of the Senate Committee on Appropriations.

In 1867, the Senate passed a resolution creating a standing committee on appropriations. The committee was founded to bring greater discipline to government spending by consolidating the control, management and oversight of federal expenditures.

The primary role of the Congress in appropriating taxpayer dollars is explicit in our Constitution. It is an important responsibility and must not be taken lightly.

The Appropriations Committee has served the American people by working together to make thoughtful decisions in the allocation of public funds. It is challenging work. Each year we consider a vast amount of input from public hearings, expert sources, our fellow Senators, and our constituents. We do our best to weigh competing priorities and make responsible recommendations.

The Appropriations Committee faces great pressures as discretionary spending is increasingly crowded out by mandatory spending and persistent deficits. It is more important than ever that the appropriations bills be brought before the Senate for careful consideration. I hope we can find a way to do that in the coming months and years.

As we mark the 150th anniversary of the Senate Committee on Appropriations, I look forward to working with my friend and vice chairman, the Senator from Vermont. I hope all Senators will work with us to enact appropriations bills that provide for a strong national defense and support our country's domestic and international priorities.

Mr. LEAHY. Mr. President, today we celebrate the 150th anniversary of the

Senate Appropriations Committee. Established on March 6, 1867, its powers are rooted in article I, section 9 of our Constitution, which states, "No money shall be drawn from the treasury, but in consequence of appropriations made by law." The founders of our country recognized the power of the purse as one of the most important tools Congress has to ensure our system of checks and balance and to conduct oversight of the Executive and Judicial branch, but it is much more than that. The Appropriations Committee is also where we translate the priorities of a nation into the realities of the people.

Our country is not a business, where we allocate resources only according to the bottom line. We do not invest in order to make a profit, or a one-for-one dollar in return. We invest in those areas where it is uniquely right for government to take the lead. We invest in the areas that make a difference in the everyday lives of Americans and that help build the foundations of our country and our economy—infrastructure, national security, our environment, education, health care. The Appropriations Committee is where we fund nutrition programs to ensure that children do not have to sit through class hungry and remain healthy so they can develop and grow. It is where we allocate the resources to clean our lakes and our streams and make investments in growing our communities and promoting jobs. It is where we invest in research to cure cancer. It is where we can define who we are as country.

I have been a member of this Committee for almost my entire tenure in the Senate, and just a few short months ago, I became vice chair. I am proud to serve on this committee, and I feel honored to join in the ranks of its leaders. Today I am glad to join you all in celebrating 150 years of an institution that is at the foundation of the Senate. I look forward to working with my friend Chairman COCHRAN in continuing the long and bipartisan history of the Appropriations Committee in the months and years ahead.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TESTER (for himself, Ms. BALDWIN, Mr. BOOKER, Mr. BLUMENTHAL, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HEITKAMP, Mr. MARKEY, Ms. WARREN, and Mr. WHITEHOUSE):

S. 528. A bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOZMAN (for himself and Mr. COTTON):

S. 529. A bill to prohibit the use of eminent domain in carrying out certain projects; to the Committee on Energy and Natural Resources.

By Mr. MANCHIN:

S. 530. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to disclose to non-Department of Veterans Affairs health care providers certain medical records of veterans who receive health care from such providers; to the Committee on Veterans' Affairs.

By Mr. PAUL:

S. 531. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate a portion of the Edward T. Breathitt Parkway as Interstate Route I-169; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 532. A bill to prohibit the use of United States Government funds to provide assistance to Al Qaeda, Jabhat Fateh al-Sham, and the Islamic State of Iraq and the Levant (ISIL) and to countries supporting those organizations, and for other purposes; to the Committee on Foreign Relations.

By Mr. NELSON (for himself, Mr. SCHUMER, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, Mr. REED, and Mr. WHITEHOUSE):

S. 533. A bill to modernize the Undetectable Firearms Act of 1988; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. GRASSLEY, Mr. NELSON, Mr. FLAKE, Mr. DONNELLY, Mr. RUBIO, Mrs. MCCASKILL, Mrs. ERNST, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. BLUMENTHAL, Ms. WARREN, Ms. HARRIS, Ms. CORTEZ MASTO, and Mr. YOUNG):

S. 534. A bill to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes; to the Committee on the Judiciary.

By Mr. THUNE:

S. 535. A bill to amend the Water Infrastructure Improvements for the Nation Act to make applicable to the State of South Dakota a provision relating to certain Bureau of Reclamation permit fees; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. INHOFE, Mr. ISAKSON, Mr. MCCONNELL, Ms. MURKOWSKI, Mr. PERDUE, Mr. ROBERTS, and Mr. SCOTT):

S.J. Res. 32. A joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. INHOFE, Mr. ISAKSON, Mr. MCCONNELL, Ms. MURKOWSKI, Mr. PERDUE, Mr. ROBERTS, and Mr. SCOTT):